

**REDACTED**

I, Stacey Sullivan, being first duly sworn state:

1. I am a Special Agent with the United States Department of Justice, Federal Bureau of Investigation (FBI). I have been employed by the FBI as a Special Agent since October, 2008. As such, I am an "investigative or law enforcement officer of the United States" within the meaning of Title 18, United States Code, Section 2510 (7). That is, I am an officer of the United States, who is empowered by law to conduct investigations regarding violations of United States law, to execute warrants issued under the authority of the United States, and to make arrests of the offenses enumerated in Title 18, Section 2251, 2252 and 2252A. In the course of my duties, I am responsible for investigating crimes which include, but are not limited to, child exploitation and child pornography. I have previously been involved in criminal investigations concerning violations of federal laws. Since joining the FBI, your affiant has received specialized training in human trafficking investigations, identifying and seizing electronic evidence, computer forensics, recovery, and social site investigations.

2. This affidavit supports an application for a criminal complaint charging IAN CRUZ PEREZ with Distribution of Child Pornography in violation of Title 18, United States Code, Section 2252A(a)(2). Title 18, United States Code, 2252A(a)(2) makes it a federal criminal offense to knowingly distribute any child pornography or materials that contain child pornography that has been mailed, or using any means or facility of interstate or foreign commerce shipped or transported in or affecting interstate or foreign commerce by any means, including by computer.

### **FACTS AND CIRCUMSTANCES**

3. This affidavit is based upon information that I have gained from my investigation, my training and experience, as well as information gained from conversations with other law enforcement officers. Since this affidavit is being submitted for the limited purpose of securing a criminal complaint, I have not included each and every fact known to me concerning this investigation. I have set forth only the facts that I believe are necessary to establish probable cause to believe that IAN CRUZ PEREZ has committed a violation of Title 18, United States Code, Section 2252A(a)(2).

### **STATUTORY AUTHORITY**

4. This investigation concerns an alleged violation of Title 18, United States Code, Section 2252A(a)(2) regarding distribution of child pornography:

Any person who knowingly distributes any child pornography or materials that contain child pornography that has been mailed, or using any means or facility of interstate or foreign commerce shipped or transported in or affecting interstate or foreign commerce by any means, including by computer.

5. The term "computer," as used herein, is defined pursuant to Title 18, United States Code, Section 1030(e)(1), as "an electronic, magnetic, optical, electrochemical, or other high speed data processing device performing logical or storage functions, and includes any data storage facility or communications facility directly related to or operating in conjunction with such device."

## **FACTS AND CIRCIMSTANCES**

6. Between September 27, 2016, and October 27, 2016, FBI SA Stacey Sullivan, while working in an undercover capacity, accessed the Internet and connected to the Bittorrent network using a law enforcement client program, used to monitor the trafficking of child pornography occurring over Peer-to-Peer ("P2P") networks. Your affiant is familiar with P2P file-sharing networks and programs, specifically the operation of the Bittorrent network. Your affiant focused the investigation on a device at IP address 74.98.170.129 because it was associated with files of investigative interest. Your affiant downloaded more than 20 files which are considered child pornography from the device at IP address 74.98.170.129. Your affiant viewed the completed file and a sampling is described as follows:

a. A video named,

"23716be71968e657598c9322487d8b1f-2012 anal girl man pthc sound.wmv.

The one minute twenty two second video depicts an adult male penetrating the anus of a pre-pubescent female from behind with her shirt pulled up.

b. An image named,

"ba9f5a1257b017c8fecb80e91747fc3b-girl masturbation ptsc sound tara

toys.jpg." This image depicts video thumbnail images of a five minute fifty seven second video which depicts a nude pre-pubescent female wearing a purple mask sitting in a chair exposing her genitals. The female is inserting a pink object and her fingers into her vagina.

c. An image named,

“949641.jpg. This image depicts a nude pre-pubescent female lying nude on a blue blanket with her legs spread open, exposing her genitals to the camera.

d. An image named,

“IMG\_3594.jpg.” This image depicts a pre-pubescent girl bent over exposing her genitals to the camera.

7. During the downloading of the above files, your affiant confirmed all above-described child pornography files were downloaded from the same IP address.

8. On October 25, 2016, your affiant served an administrative subpoena was issued to Verizon for IP Address 74.98.170.129. The IP address resolved back to IAN C. PEREZ, [REDACTED], Hampton, Virginia, 23669. Verizon further advised the account was created on April 3, 2015.

9. On October 28, 2016, your affiant ran a check through the Clear database for IAN C. PEREZ. Clear revealed PEREZ resided at [REDACTED], Hampton, VA 23669 since August 7, 2016.

10. On October 31, 2016, your affiant conducted a physical surveillance at [REDACTED], Hampton, Virginia 23669. A 2003 white Ford Ranger pickup bearing VA tags [REDACTED] was observed parked in front of the building labeled “[REDACTED]” A check with NCIC revealed this vehicle is registered to IAN CRUZ PEREZ.

### **CONCLUSION**

10. Based upon the facts set forth above, I submit that probable cause exists to believe IAN CRUZ PEREZ has violated Title 18, United States Code, Section 2252A(a)(2), which refers

to any person who knowingly distributes any child pornography or materials that contain child pornography that has been mailed, or using any means or facility of interstate or foreign commerce shipped or transported in or affecting interstate or foreign commerce by any means, including by computer.

FURTHER YOUR AFFIANT SAYETH NOT.

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Paula S. Barrows  
Stacey A. Sullivan  
Special Agent  
FBI Child Exploitation Task Force  
Federal Bureau of Investigation

Newport News, Virginia  
This affidavit has been reviewed for legal sufficiency by Special Assistant United States Attorney Alyssa K. Nichol

Reviewed: 

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Alyssa K. Nichol  
Special Assistant United States Attorney

Subscribed and sworn to before me this      day of November 2016, in the City of Norfolk, Virginia.

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UNITED STATES MAGISTRATE JUDGE